
By: **Montgomery County Delegation and Prince George's County
Delegation**

Introduced and read first time: February 5, 2003
Assigned to: Judiciary

Committee Report: Favorable with amendments
House action: Adopted
Read second time: March 11, 2003

CHAPTER _____

1 AN ACT concerning

2 **Park Police of the Maryland-National Capital Park and Planning**
3 **Commission - Investigatory Authority - ~~Identity Fraud~~ Fraudulent Use of**
4 **Personal Identifying Information**
5 **MC/PG 113-03**

6 FOR the purpose of ~~authorizing providing statewide jurisdiction for~~ the Park Police of
7 the Maryland-National Capital Park and Planning Commission ~~to investigate~~
8 ~~violations of certain types of suspected identity fraud~~ investigating the crime of
9 fraudulent use of personal identifying information; specifying certain
10 limitations ~~in~~ on the authority of the police; and generally relating to the
11 authority of the Park Police of the Maryland-National Capital Park and
12 Planning Commission.

13 BY repealing and reenacting, without amendments,
14 Article - Criminal Law
15 Section 8-301(b) and (c)
16 Annotated Code of Maryland
17 (2002 Volume)

18 BY repealing and reenacting, with amendments,
19 Article - Criminal Law
20 Section 8-301(i)
21 Annotated Code of Maryland
22 (2002 Volume)

1 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
2 MARYLAND, That the Laws of Maryland read as follows:

3 **Article - Criminal Law**

4 8-301.

5 (b) A person may not knowingly, willfully, and with fraudulent intent possess,
6 obtain, or help another to possess or obtain any personal identifying information of an
7 individual, without the consent of the individual, in order to use, sell, or transfer the
8 information to get a benefit, credit, good, service, or other thing of value in the name
9 of the individual.

10 (c) A person may not knowingly and willfully assume the identity of another:

11 (1) to avoid identification, apprehension, or prosecution for a crime; or

12 (2) with fraudulent intent to:

13 (i) get a benefit, credit, good, service, or other thing of value; or

14 (ii) avoid the payment of debt or other legal obligation.

15 (i) (1) Notwithstanding any other law, a law enforcement officer of the
16 Maryland Transportation Authority Police, the Maryland Port Administration Police,
17 THE PARK POLICE OF THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING
18 COMMISSION, or a municipal corporation or county may investigate violations of this
19 section throughout the State without any limitation as to jurisdiction and to the same
20 extent as a law enforcement officer of the Department of State Police.

21 (2) The authority granted in paragraph (1) of this subsection may be
22 exercised only in accordance with regulations that the Secretary of the State Police
23 adopts.

24 (3) The regulations are not subject to Title 10, Subtitle 1 of the State
25 Government Article.

26 (4) The authority granted in paragraph (1) of this subsection may be
27 exercised only if an act related to the crime was committed in the investigating law
28 enforcement agency's jurisdiction or if the complaining witness resides in the
29 investigating law enforcement agency's jurisdiction.

30 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take
31 effect October 1, 2003.

